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*Docket*  
*Rm: 222*

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

POLICY & PLANNING  
BRANCH ROOM 5202

22 FEB 1993

IN REPLY REFER TO:

7330-7/1700A3

Mr. Albert Tejera  
Tejera Microsystems Engineering, Inc.  
Post Office Box 340608  
Tampa, Florida 33694

RECEIVED

MAR -9 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Mr. Tejera:

This is in reply to your inquiry to Congressman Biliakakis regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

You are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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LHMBCDE

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994.

Sincerely,

*Beverly H. Baker*  
 Beverly H. Baker  
 Chief, Private Radio Bureau

Copy to: Congressman Bilirakis

Enclosures:

Notice

Order

Discussion paper

cc:

Chief, PRBureau

Chief, LM&M Division

Docket Files, Room 222

P&P Branch File (Pink)

CNTL NO - 9300470

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CONGRESS/9 AlbertTej/9300470

# Congressional

DUE OBC: 2-17-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/09/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300470	02/09/93	02/02/93	02/22/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Michael Bilirakis	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE/frames			
5-10-93			

DATE	DATE	DATE	DATE
02/09/93			

REMARKS: Direct response to constituents. Copy of response  
to Washington office.

LM & H. H. S. S. S.  
PRIVATE RADIO BUREAU  
F.C.I.

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**MICHAEL BILIRAKIS**

9TH DISTRICT, FLORIDA

COMMITTEE ON ENERGY AND COMMERCE  
HEALTH AND THE ENVIRONMENT  
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CO-CHAIRMAN, TASK FORCE ON  
INFANT MORTALITY  
CONGRESSIONAL HUMAN RIGHTS CAUCUS



# Congress of the United States

House of Representatives

Washington, DC 20515-0909

February 2, 1993

PLEASE RESPOND TO:

WASHINGTON OFFICE:

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WASHINGTON, DC 20515-0909  
(202) 225-5755

DISTRICT OFFICES:

1100 CLEVELAND STREET, SUITE 1800  
CLEARWATER, FL 34615  
(813) 441-3721

2739 U.S. HWY. 19, SUITE 110  
HOLIDAY, FL 34661  
(813) 847-1022

408 WEST RENFRO STREET  
SUITE 107F  
PLANT CITY, FL 33566  
(813) 752-9280

PRB  
92-235  
470

Legislative Liaison  
Federal Communications Commission  
Office of Congressional and Public Affairs  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Sir or Madam:

I am enclosing, for your review, a copy of comments which I received from several of my constituents.

In summary, they are concerned that the F.C.C. plans to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. If this is done many who own radio controlled models will lose not only the time enjoyed using these models, but the money that was invested in the purchasing of this expensive equipment.

I would appreciate your thorough review of the attached comments. Please forward your response directly to my constituents.

I would also be grateful if you would send a copy of your response to my Washington, D.C. office.

Thank you for your prompt attention to this matter.

With best wishes, I am

Sincerely yours,

Michael Bilirakis  
Member of Congress

MB:hs

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PRIVATE MAIL ROOM

# TME

TEJERA  
MICROSYSTEMS  
ENGINEERING, INC.

January 25, 1993

The Honorable Michael Bilirakis  
United States House of Representatives  
Washington, DC 20515

Dear Mr Bilirakis:

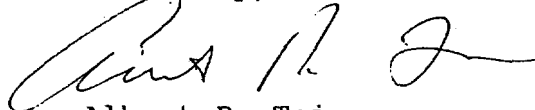
We are a manufacturer of R/C related electronic products. It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that not only has the potential to damage our industry but can also create a very real danger to life and property. The proceeding is PR Docket 92-235.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C Aircraft and surface models by keeping 10Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new part 88 will allow mobile users on frequencies within 2.5Khz of frequencies available to us, eliminating the safe use of at least 31 of the 50 channels on the 72Mhz band and 10 of the 30 Frequencies on the 75Mhz band now used by hobbyists. In fact more channels will likely be affected.

If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability. It will create a significant safety risk and severely damage a billion dollar industry. Loss of R/C sales will hamper my ability to stay in business in this market.

Please help me continue my business without interference by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 Mhz band. We need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid this economic mistake.

Sincerely,



Albert R. Tejera  
President

FEB 12 1993

15711 Country Lake Dr.  
Tampa, Florida 33624  
January 25, 1993

The Honorable Michael Bilirakis  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Bilirakis,

I am a resident of your district, and I am an avid R/C model airplane enthusiast. Like thousands of other adult men and women, I have gotten great pleasure from building and flying models for over ten years.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission. The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for models and increase the risk of accidents.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes, safety is paramount. The risks that the FCC proposal would bring about would certainly impact human safety and property damage. After all, since these potential users are mobile, the only way we're going to know we have a problem is after we crash!

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. If a pager or cellular phone experiences interference, the result is a lost message. If a model airplane gets such interference the result is a crash. I am well aware that we modelers don't have the financial clout of telecommunications companies; but surely we are entitled to safely pursue our hobby, as we have for years.

Please help me and hundreds of thousands of others continue the safe enjoyment of our pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72 - 76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,



Albert Tejera